

FILLMORE CITY COUNCIL MEETING

February 3, 2015

Minutes of the regular meeting of the Fillmore City Council held February 3, 2015 in the Council Chambers of the Fillmore City Building. Notice of the time and place of the meeting was posted on the Utah State Public Notice website, the Fillmore City website, the Council Chambers, the City Office bulletin board, and the President Millard Fillmore Library. Notice was also provided to the Chronicle-Progress, radio stations KMTI and KNAK, and each member of the governing body on February 2, 2014.

Those present were:

Mayor: Eugene R. Larsen
Attorney: Greg Greathouse
Recorder: Marlene Cummings

Council: Michael D. Holt
N. Wayne Jackson
Eric R. Jenson
Deborah S. Oeppinger
Michael K. Rhinehart

Others: Kevin and Jana Orton, Lt. Morris Burton, Fire Chief Darren Brunson,
Carl Camp

6:30 p.m. Welcome and Pledge of Allegiance – Mayor Larsen

ADMINISTRATIVE BUSINESS

Appoint New Recorder

Mayor Larsen introduced Kevin Orton and asked council to ratify his appointment for the city recorder position. Councilmember Rhinehart and Jenson had served on the interviewing committee and expressed support for Mr. Orton. Mr. Rhinehart said he would like all councilmembers to review all employment applications before applicants are selected for interview. He is confident Kevin will be an effective team leader and looking forward to the camaraderie and constructive mentoring Kevin will bring to the city office. Councilmember Jenson added that he had spoken with Kevin's former employers who had confirmed his work ethic and competence to handle the recorder job.

Councilmember Rhinehart had discussed salary expectations with Mr. Orton; they had agreed to a lesser starting salary with the possibility of periodic increases based on performance until he reaches the original asking amount.

At the Mayor's invitation, Kevin spoke briefly. He lives in Panguitch and will be moving to Fillmore as soon as possible. He recently worked for Garfield School District and before that he spent about seven years managing Love's Truck Stops. He said he would love to join the city team. He needs to give notice to his current employer and could start in two weeks.

MOTION: To confirm the appointment of Kevin Orton to the position of Fillmore City Recorder with a twelve month probationary period and a starting annual salary of \$55,000.

By: Councilmember Jenson

Second: Councilmember Rhinehart

Vote: Unanimous. Motion carried.

51 Minutes

52 **MOTION:** To approve the minutes of the meeting held January 20, 2015 as
53 corrected.

54 **By:** Councilmember Jackson

55 **Second:** Councilmember Rhinehart

56 **Vote:** Unanimous. Motion carried.

57
58 Bills – Payroll

59 **MOTION:** To approve the January 31, 2015 payroll and payment of bills listed
60 on the invoice register dated January 21 – February 3, 2015.

61 **By:** Councilmember Oeppinger

62 **Second:** Councilmember Jensen

63 **Vote:** Unanimous. Motion carried.

64
65 Business Licenses

- 66 • Stevens Hotel & Furnishings (Susan Roper) at 20 South Main for receptions,
67 conventions and rentals (license to be withheld until fire inspection completed)
- 68 • Ed Cannon Tractor Service Inc. at 375 West Center Street for transport services
- 69 • John Orullian Handyman Services at 180 East Center Street for remodel and repair jobs
70 under \$1,000

71 **COMMUNICATIONS AND REQUESTS**

72
73 Law Enforcement

74 Lt. Morris Burton summarized two reports:

- 75 • In December there were 6 traffic accidents in Fillmore, 9 citations issued for 14
76 violations, 127 CAD calls, and 92 incidents resulting in 5 arrests for 8 offenses.
- 77 • The 2014 annual report listed 26 traffic accidents, 130 citations for 172 violations,
78 1,596 CAD calls and 1,222 incidents.

79
80 Millard County Commission

81 No report, Commissioner Roper had asked to be excused.

82
83 Millard County Recreation

- 84 • Bart Whatcott, East Millard Recreation Director, updated the council on the progress of
85 the new soccer fields. The land is ready for top soil and then it will be laser leveled.
86 He would like the city, county and school district to work together to haul off the rocks
87 removed from the fields. Secondary water will be used for the grass, but a culinary
88 water line is needed for water fountains and hydrants. Existing restrooms will be
89 utilized and bleachers will be installed. Some of the work will qualify for Eagle Scout
90 Projects. Sometime in the future lights will be added. Hydro seeding bids have been
91 solicited for drought resistant grass that takes root easily. High quality road base gravel
92 will be spread between the fields; eventually blacktop will be laid all around them. Mr.
93 Whatcott hopes to attract state-wide soccer tournaments. The new fields will
94 accommodate six games at the same time; additionally, if the race track and the North
95 Park could be used for playing fields, as many as 12 games could be going on
96 simultaneously. The council had previously committed to helping with the project; Mr.
97 Whatcott asked that the city's contribution be the water and electric installations.
98

- Plans for the annual ATV Jamboree are underway. Mr. Whatcott thanked the council for past support and invited the city to be a sponsor again this year. Additional sponsors are needed to help off-set the costs of the event. Jamboree supplies are purchased from local businesses; the money never leaves the city. Changing the base of operations from the park to the fairground has been a positive move. However, participants who stay at the KOA Campground have no access route to the fairground. Utah Department of Transportation will not allow any ATV traffic on Highway 99 and private property owners have been closing their lands for ATV access. Mr. Whatcott suggested that the city and county partner to petition the state for a designated crossing for the Jamboree riders.
- East Millard Recreation is planning some big changes for use of the indoor and outdoor arenas. The county is trying to attract more large equestrian events and hopes to become the hub for the state riding club competitions. Caterpillar will be hosting a hay-handling equipment show here in April.

Fire Department

Chief Darren Brunson reminded council that commercial buildings need fire inspections after remodeling or changing ownership

- There were 41 fire calls in 2014 and only a few grass fires. So far this year the department has responded to only one call.
- The CIB grant funds for the new ladder truck will be disbursed tomorrow; the Chief will be there to collect it. The Fire District will advertise for bids and order the truck which will cost about \$609,000 and come with another \$65,000 worth of equipment.
- The National Guard has replaced the fire department's old water tender truck with an updated military model with a water capacity of 4,000 gallons. It will be much safer.
- Eleven firemen attended the annual fire school in St. George; it was an excellent training and the information will be shared with those who were unable to go. The membership roster lists 15 active firefighters, 3 probationary, 1 apprentice, and 16 on the senior roll who can be called on any time; 2 new members will be added tomorrow night: participation and moral are high.
- The \$15,000 Wild Land Grant money is for new personal gear, boots and equipment.
- Chief Brunson thanked Attorney Greathouse for his help with the revised bylaws for the department; the final reading is scheduled for tomorrow night. After adoption by the department the bylaws will come before the city council for approval.
- The department's annual Wife Appreciation Dinner (Valentine's Dinner) will be held at 7:00 p.m. on Saturday, February 7th at the Statehouse; the mayor, councilmembers and their partners are invited.

Carl Camp

State Parks has approved \$350,000 for a new pavilion and restrooms at the Statehouse Park; it will all be pre-fab to stay within the budget. When the project was first proposed, the city committed to helping with the improvements; Mr. Camp asked that the city's contribution be the impact fees and utility connections for the facilities. Council estimated the value of the fees and connections would be around \$7,700. The restrooms will be heated and open year round. The kits have been purchased; local contractors will be used to erect the structures. The additional restrooms and pavilion are much needed, especially for celebrations and events

held at the park as well as for summer youth camps. Already eleven wards (over 300 youth) have signed up for next summer.

BUSINESS

Open and Public Meeting Training

Recorder Cummings outlined the provisions of the Open and Public Meeting Act (Utah State Code title 52, Chapter 4) and noted that all governing bodies, planning commissions and associated boards must comply with this law. There are very specific and limited reasons for a closed meeting. The best way to avoid problems with the Open and Public Meetings Act is to err on the side of public openness.

Investment Policy

Council reviewed the Fillmore City Investment Policy; there were no proposed changes.

Municipal Elections

This is an election year for three city council positions. The filing period will be Monday June 1 through Monday June 8. Sometimes people who file a Declaration of Candidacy seem to do it on a whim and are not serious about it, and withdraw from the ballot before Election Day. Many cities charge filing fees ranging from \$25 to \$100. Council discussed whether or not a non-refundable fee would eliminate whimsical filings.

There is such a small voter base in Fillmore that one set of election judges can easily handle the poll duties for a municipal election. For the 2013 city elections, council chose to combine the two Fillmore voting districts and it worked very well.

MOTION: To consolidate the two Fillmore voting districts for the 2015 Municipal Elections and to impose a \$25 non-refundable filing fee for each Declaration of Candidacy filed.

By: Councilmember Rhinehart

Second: Councilmember Oepfinger

Vote: Councilmembers Rhinehart, Oepfinger, Jackson, Holt Yes

Councilmember Jenson No

Motion carried.

COUNCIL REPORTS

Councilmember Holt

Streets & Sidewalks

- Geri Peterson has submitted a sidewalk cost-share application to replace broken sidewalk in front of her home at 105 North 200 West. The entire sidewalk on that block needs to be replaced.

Councilmember Oepfinger

No Report.

194 Councilmember Rhinehart

195 **Celebrations**

- 196 • Don Thomson and Cathy Adamson are resigning from the Celebrations Committee.
197 They have done an excellent job and will be missed. He will check with the other two
198 members of the committee to make sure they are planning to continue.
199

200 Councilmember Jackson

201 **Garbage & Landfill**

- 202 • He attended county commission meeting and talked to Commissioner Withers and
203 Sheryl Dekker about the landfill and transfer station; they also addressed the issue of
204 attitudes towards Fillmore. Mrs. Dekker is frustrated with the aging compactor;
205 transfer stations will be obsolete before long. Scavenging at the land fill is another
206 concern and will be stopped.

207 **Emergency Preparedness**

- 208 • The CERT team is busy right now. Congressman Chris Stewart is coming to speak on
209 emergency preparedness; the meeting will be open to the public. House numbers and
210 street signs need to be upgraded for better visibility.
211 • Utah's "Great Shakeout" will be on April 7.
212

213 Councilmember Jenson

214 **Planning & Zoning**

- 215 • The meeting last month was canceled for lack of a quorum.

216 **Water**

- 217 • A water level meter for the wells has been ordered.
218 • The public works crew has been working on a broken hydrant at 200 North 300 West.
219 • The water line to the KOA for fire protection still needs to be installed.
220 • Councilmember Jenson, Mayor Larsen, and Robert Worley will go to Salt Lake
221 tomorrow to check on available funding for the water upgrades identified in the Water
222 Master Plan.
223

224 Mayor Larsen

- 225 • Garbage can be used to generate power. First it is shredded, and then gasified; 45 tons
226 of garbage can generate 10 megawatts of electricity.
227 • It is crunch time on the IPA/IPP contracts. Meadow and Monroe still have not signed.
228 • The mayor will be speaking at the county economic development meeting in Delta on
229 Wednesday, February 11 at 6:00 p.m.
230

231 Mayor Larsen called for a closed session to discuss the character, professional competence, or
232 physical or mental health of an individual.
233

234 **MOTION: To close the public meeting and go into closed session for the**
235 **purpose stated by the Mayor.**

236 **By: Councilmember Jackson**

237 **Second: Councilmember Jenson**

238 **Vote: Roll call vote was unanimous.**
239

240 At 8:15 pm. the meeting was closed and opened again at 8:25 p.m.
241

242 Attorney Greathouse

- 243 • There has been no contact from BLM on the airport lease agreement.
- 244 • He is still working with the Tantalus legal department on the smart meter contract.
- 245 • He will be on vacation next week but will leave his contact information with the city
- 246 office. If an emergency arises, Richard Waddingham will be available to help.
- 247 • He noted that Recorder Cummings does a good job for the city.

248

249 **ADJOURNMENT**

250

251 **MOTION: To adjourn the meeting.**

252 **By: Councilmember Jenson**

253 **Second: Councilmember Jackson**

254 **Vote: Unanimous. Motion carried.**

255

256 The meeting adjourned at 8:30 p.m. The next meeting will be held February 17, 2015

257 at 6:30 p.m.

258

259

260 APPROVED February 17, 2015

261 _____

Eugene R. Larsen, Mayor